

**State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

ORDER NO. R4-2009-0048-A-XX

**AMENDING WATER RECYCLING REQUIREMENTS FOR GROUNDWATER
RECHARGE AND WASTE DISCHARGE REQUIREMENTS
IN ORDER NO. 91-100
AS AMENDED BY ORDER NO. R4-2009-0048**

FOR THE

RIO HONDO AND SAN GABRIEL RIVER SPREADING GROUNDS

ISSUED TO

**Water Replenishment District of Southern California,
County Sanitation Districts of Los Angeles County, and
Los Angeles County Department of Public Works**

(File No. 71-67)

The California Regional Water Quality Control Board, Los Angeles Region (Regional Water Board), finds:

1. The Los Angeles County Department of Public Works, County Sanitation Districts of Los Angeles County, and Water Replenishment District of Southern California (hereinafter called the Permittees, collectively) reclaim water for ground water recharge at Rio Hondo and San Gabriel River Spreading Grounds under water recycling requirements and waste discharge requirements contained in Order No. 91-100, as amended by Order No. R4-2009-0048.
2. The Permittees requested by letter dated April 23, 2013, that the compliance averaging period for determining the recycled water contribution be increased from five to ten years. In the letter, the Permittees stated that in seven of the last ten years there has been below normal rainfall in the Los Angeles Basin, resulting in lower than expected stormwater capture for recharge and diluent credits for recycled water. If the following year were also dry, the Permittees might have to forgo the spreading of recycled water to avoid exceeding the five year average limit for recycled water of 35%.
3. In a letter dated May 1, 2013, to the Regional Water Board, the California Department of Public Health (CDPH) expressed its support for the Permittees' request to increase the recycled water contribution averaging period from 60 to 120 months (five years to ten years).
4. Approval of an increase in the compliance averaging period of the recycled water contribution to ten years would allow the continued recharge of recycled water at the

Tentative Amendment: March 5, 2014

current rate in the Rio Hondo and San Gabriel River Spreading Grounds without the near-term risk of having to forgo spreading of recycled water to meet permit requirements. This action is consistent with the statewide goals of increasing recycled water use to increase local supply reliability as outlined in the Recycled Water Policy adopted in 2009 (and subsequently amended in 2013) by the State Water Resources Control Board.

5. On June 4, 2013, the Executive Officer of the Regional Water Board amended Order No. 91-100, as amended by Order No. R4-2009-0048, as follows:

On page 4 of Order No. R4-2009-0048, replace the requirement under section 1 with the following:

The maximum quantity of recycled water spread in any ten-year period shall not exceed 35 percent of the total inflow from all sources into Montebello Forebay during that period.

The June 4, 2013 amendment by the Executive Officer is ratified and adopted by the Board by this Order.

6. On January 17, 2014, the Governor of the State of California issued a drought state of emergency proclamation, finding that the State of California is experiencing record dry conditions, with 2014 projected to be the driest year on record.
7. On January 17, 2014, the Permittees requested an amendment to Order No. 91-100, as amended by Order No. R4-2009-0048, to increase the percentage of recycled water used for groundwater recharge at the Montebello Forebay from the current limit of 35%. An increase of the recycled water limit by 10% will increase the volume of groundwater recharge by approximately 20,000 acre-feet per year,
8. Pursuant to section 13523 of the California Water Code, the Regional Water Board has consulted with CDPH regarding the Permittees' request to modify the percent limitation for groundwater recharge with recycled water. CDPH approved the Permittees' proposed change by email to the Regional Water Board dated February 11, 2014.
9. Pursuant to Water Code section 1211, prior to making any change in the point of discharge, place of use, or purpose of use of treated wastewater, the owner of any wastewater treatment plant shall obtain approval of the State Water Board, Division of Water Rights, for that change. The State Water Board retains the jurisdictional authority to enforce such requirements under Water Code section 1211.
10. On May 1, 2013, the Water Replenishment District of Southern California, as the lead agency, certified Mitigated Negative Declarations for proposed projects to construct infrastructure to allow an increase in the volume of recycled water used for groundwater recharge at the Montebello Forebay. The Regional Water Board has considered the Initial Studies and Mitigated Negative Declarations, which did not identify significant environmental effects with respect to water quality due to the increase in percentage of recycled water use.

11. Any person aggrieved by this action may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the internet at: http://waterboards.ca.gov/public_notices/petitions/water_quality
Or will be provided upon request.
12. The Regional Water Board has notified the Permittees and interested agencies and persons of its intent to amend these water recycling requirements and waste discharge requirements, and has provided them with an opportunity to submit their written comments.
13. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the tentative Order amending the water recycling requirements and waste discharge requirements.

IT IS HEREBY ORDERED that Order No. 91-100, as amended by Order No. R4-2009-0048, adopted by this Regional Water Board on September 9, 1991, and April 2, 2009, respectively, is hereby amended as follows:

1. On page 6 of Order No. 91-100, replace the requirement under section B. Quantity Limitation with the following:

The maximum quantity of recycled water spread in any ten-year period shall not exceed 45 percent of the total inflow from all sources into Montebello Forebay during that period.
2. On page T13 of the Monitoring and Reporting Program (CI-5728), add the following reporting requirement to the end of Reporting Provisions section:

Within thirty days of an increase in the recycled water contribution to forty percent or above, the Reclaimer shall submit a monitoring plan that increases monitoring of the existing six monitoring wells to the CDPH and the Regional Water Board for review and approval. The additional monitoring will include biodegradable dissolved organic carbon and indicator monitoring. The increased monitoring required by the approved monitoring plan must be conducted when the recycled water contribution to the Montebello Forebay is forty percent or above.
3. All other requirements, limitations, and provisions of Order No. 91-100, as amended by Order No. R4-2009-0048, not affected by the foregoing amendments shall remain in full force and effect.

This Order takes effect upon its adoption.

Water Replenishment District of Southern California et. al.
Rio Hondo and San Gabriel River Spreading Grounds
Order No. R4-2009-0048-A-XX
Amending Order No. 91-100

File No. 71-67

I, Samuel Unger, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the Regional Water Board, Los Angeles Region, on April 10, 2014.

Samuel Unger, P.E.
Executive Officer